Remarks

Applicants submit the following remarks in support the patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims. Further and favorable reconsideration is respectfully requested in view of these remarks.

Initially, claim 1 has been amended to make editorial changes, in order to place it in more conventional form according to U.S. practice.

The rejection of claims 1 and 3 under 35 U.S.C. §103(a) as being unpatentable over Miyabe et al. (JP '458) in view of Iwasaki (JP '038) is respectfully traversed.

Applicants note that the Examiner refers to certain paragraphs of these references, rather than to the English language abstracts which were included with the references. Perhaps the Examiner has a translation of each reference. If so, he is kindly requested to provide copies of the translations to Applicants' attorney.

The present invention

As pointed out on page 1 of the specification, okara is the solid residue obtained by squeezing boiled and mashed soybeans during the production of tofu. Okara contains a large amount of dietary fiber. However, due to its peculiar smell derived from soybeans and poor palatability (or texture sensed by tongue), it is not used as a food material even with its high nutrition value, but treated as an industrial waste product in reality.

The present invention provides a method of manufacturing a food material which has high nutrition values and can be blended singly or in combination with other materials to prepare a variety of foods by improving okara's peculiar smell and poor texture without using any chemical agents, only by means of sufficient washing, boiling and mashing with the aid of particular equipment. The method of the present invention is not obvious over the prior art.

Comparison between the present invention and Miyabe et al.

In Miyabe et al., the object is to obtain palatable and creamy okara with good flavor (see paragraph [0006]).

Conversely, the object of the present invention is to provide a method of manufacturing a food material with very little odor from okara as a raw material, the majority of which has

conventionally been discarded. Miyabe et al. do not disclose or suggest such a technique that can remove the odor from okara.

As the raw material in the present invention, use is made of okara which is by-produced as a conventionally discarded material during the production of tofu or soybean milk. However, the raw material used in Miyabe et al. is produced by processing swelled soybeans with a rotary blade shearing force to fine the soybeans to an average particle diameter of 20 to 100 microns, and then by applying a frictional shearing force to further fine the soybeans to an average particle diameter of 14 to 40 microns. Accordingly, the raw material of Miyabe et al. is quite different from that of the present invention.

Comparison between the present invention and Iwasaki

Iwasaki discloses a production method of okara from which peculiar smell and impurities have been removed by immersing okara in water to remove impurities, and then boiling it together with a deodorant such as sodium carbonate.

Namely, the method of Iwasaki requires a certain deodorant such as sodium carbonate, whereas the present invention does not require any deodorant like this. Accordingly, the components of the present invention are quite different from those of the reference.

In addition to this, the product obtained by the method of Iwasaki inevitably contains sodium ions derived from sodium carbonate. This is because the method of Iwasaki requires a large amount of sodium carbonate (see paragraph [0007], in the example where 300 g of sodium carbonate are added to 15 kg of okara), and the treated material is naturally filtrated or dehydrated by pressure without any washing treatment, and the resultant product is used as a food material without any additional treatment. An excess amount of sodium ions may cause arterial sclerosis, and therefore should be avoided. Accordingly, a food material like this may be a risk to health.

Even if the product is subjected to a washing process, the resultant product would inevitably contain a certain amount of sodium ions.

Furthermore, a person skilled in the art would never use chemical agents for the production of food materials.

Combination of Miyabe et al. and Iwasaki

The object to be solved by the present invention is not disclosed or suggested in Miyabe et al., and the method of the present invention and that disclosed in Iwasaki are totally different from each other.

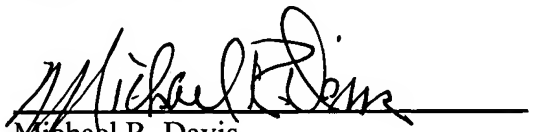
The Examiner states that it would have been obvious to wash the okara with water as taught by Iwasaki in Miyabe et al. in order to provide a soybean based food with improved odor. However, as indicated above, the raw material used in Miyabe et al. is not okara, but rather is fine soybean particles. Therefore, combining the references would still not lead to the presently claimed invention.

For these reasons, Applicants take the position that the present invention is clearly patentable over the applied references.

Therefore, in view of the foregoing remarks, it is submitted that the present application is now in condition for allowance. Such allowance is solicited.

Respectfully submitted,

Akira TAKAYA et al.

By: 

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